

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

| | | |
|----------------------------------|---|---------------------------|
| DOUG BURCHFIELD, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | |
| |) | |
| CSX TRANSPORTATION, INC. and |) | CIVIL ACTION |
| THE ANDERSONS, INC., |) | FILE NO. 1:07-CV-1263-TWT |
| |) | |
| Defendants. |) | |
| _____ |) | |
| |) | |
| THE ANDERSONS, INC., |) | |
| |) | |
| Defendant/Third-party Plaintiff, |) | |
| v. |) | |
| |) | |
| STAR OF THE WEST MILLING |) | |
| COMPANY, |) | |
| |) | |
| Third-party Defendant. |) | |

STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiff Doug Burchfield, Defendant CSX Transportation, Inc., Defendant/Third-Party Plaintiff The Andersons, Inc. and Third-Party Defendant Star of the West Milling Company hereby stipulate to the dismissal of the third-party complaint by The Andersons, Inc. against Star of the West Milling Company in the above-captioned matter, with prejudice.

This 26th day of June, 2009.

/s/ Douglas C. Dumont (w/ express permission)

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